

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EDGAR LAVERDE,

Plaintiff, :  
v. :  
CAPITAL ONE HEALTHCARE FINANCE :  
a division of Capital One :  
Services, Inc. and CIT GROUP INC., :  
Defendants. :  
-----x

**BARBARA S. JONES**  
**UNITED STATES DISTRICT JUDGE**

Construing Plaintiff's counsel's letter dated September 6, 2007 as a motion for the Court's recusal in this matter, this motion is denied. The Court is of the firm belief that any social relationship with the wife of Defendants' counsel, Mr. James Bergin, will not influence her conduct or impartiality in these proceedings in any way.

**SO ORDERED:**

  
**BARBARA S. JONES**  
**UNITED STATES DISTRICT JUDGE**

Dated: New York, New York  
September 18, 2007